

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

PHILLIP ANGEL GARCIA,

Plaintiff,

v.

Civ. No. 08-0013 WJ/RLP

U.S. MARSHALS, BOARD OF COUNTY
COMMISSIONERS,

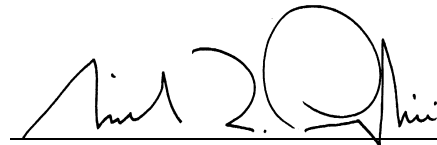
Defendants.

MAGISTRATE JUDGE'S REPORT & RECOMMENDATION¹

1. On March 11, 2008 the Court issued its Order to Show Cause [Doc. 13]. Previous mailings by the Court to Plaintiff had been returned as undeliverable and Plaintiff was given until March 26, 2008 to respond. He was informed that a failure to respond may result in dismissal without further notice. As of today's date, April 3, 2008, Plaintiff has failed to respond to the Court or to file any additional pleadings. Failure to comply with the Court's orders and statutory requirements, or to show cause for excusing the failure, constitutes grounds for dismissing Plaintiff's complaint. *See Baker v. Suthers*, 9 Fed.Appx. 947, 950 (10th Cir. 2001).

Recommended Disposition

I recommend that Plaintiff's complaint be dismissed without prejudice.

A handwritten signature in black ink, appearing to read 'Richard L. Puglisi', written over a horizontal line.

Richard L. Puglisi
United States Magistrate Judge

¹ Within ten (10) days after a party is served with a copy of the Magistrate Judge's Report and Recommendation that party may, pursuant to 28 U.S.C. § 636 (b)(1) , file written objections in the United States District Court to the Report and Recommendation. A party must file any objections within the ten-day period allowed if that party wants to have appellate review of the Report and Recommendation. If no objections are filed, no appellate review will be allowed.